

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION,)	CA No. 06-614
)	
Plaintiff,)	
)	
V.)	
)	
PARADISE PRODUCE, INC.,)	
)	
Respondent.)	

ANSWER OF PARADISE PRODUCE, INC.

1. Admitted.
2. Denied as stated. It is admitted that Plaintiff was employed at Defendant's Seaford, Delaware location.
3. Admitted.
4. Denied as stated. It is admitted that Defendant was operating as an employer until October 7, 2006. Defendant has not operated its business as a going concern since that date.
5. Admitted.
6. The Defendant has insufficient knowledge or information to respond to the allegations in this paragraph.
7. Denied as stated. As to the specific allegations:
 - (a) is admitted;

(b) is admitted;

(c) the Defendant has insufficient knowledge or information to respond to this allegation;

(d) the Defendant has insufficient knowledge or information to respond to this allegation;

(e) it is admitted that the Plaintiff brought specific instances of name calling to the attention of John Allen, the owner of the Defendant, and that John Allen said that he would take corrective action. The Defendant has insufficient knowledge or information to respond to the allegation that the conduct continued, and denies the allegation that no corrective action was ever taken;

(f) the Defendant has insufficient knowledge or information to respond to this allegation.

8. Denied as stated. As to the specific allegations:

(a) it is admitted that Plaintiff was informed that his route would be changed, but it is denied that the new route would be seasonal;

(b) is denied;

(c) it is admitted that Plaintiff expressed resistance to the changed route. It is denied that John Allen, the owner of the Defendant, told the Plaintiff that he had no alternative but to accept the route change;

(d) is denied;

(e) is denied;

(f) it is denied that Plaintiff received retaliatory treatment, as to his suffering emotional harm and other damages, the Defendant has insufficient knowledge or information to respond to this allegation.

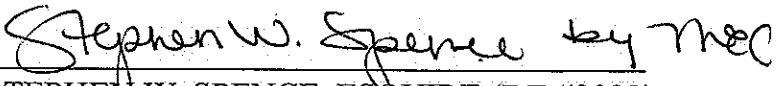
9. Denied.

10. Denied.

11. Denied.

WHEREFORE, the Respondent Paradise Produce, Inc. demands that Plaintiff's claim be dismissed with all costs assessed to the Plaintiff.

PHILLIPS, GOLDMAN & SPENCE, P.A.


STEPHEN W. SPENCE, ESQUIRE (DE #2033)
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Counsel to Respondent Paradise Produce, Inc.

Dated: January 10, 2007

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

V.

PARADISE PRODUCE, INC.,

Respondent.

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CA No. 06-614

CERTIFICATE OF SERVICE

I, STEPHEN W. SPENCE, ESQUIRE, do hereby certify that I am over the age of 18, and that on January 10, 2007, I caused the foregoing Answer to be served upon the persons listed below, via, U.S. First Class Mail, pre-paid.

Patricia C. Hannigan, AUSA
The Nemours Building
1007 Orange Street, Suite 700
P.O. Box 2046
Wilmington, DE 19899-2046

Iris Santiago Flores, Esquire
U.S. EEOC, Philadelphia District Office
21 S. 5th Street, Suite 400
Philadelphia, PA 19106

Under penalty of Perjury, I certify the foregoing to be true and correct.

PHILLIPS, GOLDMAN & SPENCE, P.A.

Stephen W. Spence by me

STEPHEN W. SPENCE, ESQUIRE (#2033)
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Counsel to Paradise Produce, Inc.